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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 DONALD NUNEZ,

12 Plaintiff,

13 v.

14 PELICAN BAY STATE PRISON,

15 Defendant.  
16

No. 2:16-cv-0084-EFB P

ORDER

17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
18 U.S.C. § 1983.<sup>1</sup> He asserts a claim arising out of events that occurred at Pelican Bay State Prison  
19 in Crescent City, California.


20 The federal venue statute provides that a civil action “may be brought in (1) a judicial  
21 district in which any defendant resides, if all defendants are residents of the State in which the  
22 district is located, (2) a judicial district in which a substantial part of the events or omissions  
23 giving rise to the claim occurred, or a substantial part of property that is the subject of the action  
24 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in  
25 this action, any judicial district in which any defendant is subject to the court’s personal  
26 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).  
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28 <sup>1</sup> He has filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

1 In this case, the defendant is located in and the claim arose in Del Norte County. Because  
2 Del Norte County lies within the venue of the Northern District of California, venue properly lies  
3 in that district and not this one. *See* 28 U.S.C. § 1391(b); 28 U.S.C. § 84(a).

4 Accordingly, IT IS HEREBY ORDERED that this case is transferred to the United States  
5 District Court for the Northern District of California. *See* 28 U.S.C. § 1406(a).

6 Dated: January 19, 2016.

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8 EDMUND F. BRENNAN  
9 UNITED STATES MAGISTRATE JUDGE  
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